

UNCLASSIFIED

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ACTION ARA-14

INFO OCT-01 H-01 ISO-00 HA-05 L-03 CIAE-00 INR-10
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FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC 5302

ARGENTINA PROJECT (S200000044)

U.S. DEPT. OF STATE, A/RPS/IPS

Margaret P. Grafeld, Director

() Release () Excise () Deny

Exemption(s):

Classify: () In Part (X) In Full **DECONTROL**

() Classify as () Extend as () Downgrade to

Date 2-6-97/78/17 Declassify on Reason

[REDACTED] BUENOS AIRES 2767

E.O. 11652: N/A

TAGS: SHUM, AR

SUBJECT: IMPRISONMENT OF HORACIO OSCAR SARAGОВI

H PASS: HONORABLE H. JOHN HEINZ III
UNITED STATES SENATE
WASHINGTON D.C.

1. THANK YOU VERY MUCH FOR YOUR LETTER OF FEBRUARY 27, 1978 REGARDING THE IMPRISONMENT OF HORACIO OSCAR SARAGОВI. I READ YOUR LETTER TO MINISTER OF INTERIOR HARGUINDEGUY WITH INTEREST. I BELIEVE YOUR EXPRESSION OF CONCERN IN THIS CASE WILL BE HELPFUL.

2. I HAVE MET WITH MR. AND MRS. SARAGОВI TO DISCUSS THEIR SON'S TRIAL AND HIS APPEAL OF THE MILITARY COURT'S DECISION TO THE ARGENTINE SUPREME COURT. THE MILITARY COURT OF APPEALS HAS RECENTLY CONSENTED TO ALLOW SUPREME COURT REVIEW OF THE CASE AND HAS SENT FORWARD THE COMPLETE CASE RECORD. THE SUPREME COURT MUST NOW DECIDE WHETHER IT WILL ACCEPT JURISDICTION OVER THE MATTER.

3. A MEMBER OF MY STAFF RECENTLY DISCUSSED THE SUPREME COURT APPEAL WITH MR. SARAGОВI. ACCORDING TO HER, THE FAMILY'S LAWYERS BELIEVE THAT THEIR CASE IS VERY STRONG AS THE FACTS

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ARE UNDISPUTED THAT MR. SARAGОВI WAS DENIED LEGAL COUNSEL, THE RIGHT TO PRESENT WITNESSES AND THAT THE LAW OF MINORS WAS NOT APPLIED. HOWEVER, THE FAMILY'S ATTORNEYS ARE CONCERNED

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THAT THE POLITICAL AND PRECEDENTIAL IMPACT OF A
FAVORABLE DECISION IN THE SARAGOVIC CASE ON THE MILITARY
JUSTICE SYSTEM WILL INFLUENCE THE ULTIMATE DECISION.

4. AS A FORMER JUDGE AND PROSECUTING ATTORNEY, I AM PERSONALLY
INTERESTED IN THIS CASE. I WILL CONTINUE TO KEEP YOU INFORMED
REGARDING ANY FUTURE DEVELOPMENTS.

5. SINCERELY YOURS, RAUL CASTRO, AMBASSADOR.

6. DECONTROL UPON RECEIPT.
CASTRO

NOTE BY OC/T: TELEGRAM DELAYED IN TRANSMISSION.

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